



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
Office of Health Care Access

October 27, 2009

Faith S. Kycia
Administrator
Surgery Center of Fairfield County, LLC
4920 Main Street
Bridgeport, CT 06606

RE: Certificate of Need Determination; Report Number 09-31430-DTR
Surgery Center of Fairfield County, LLC, d/b/a Surgery Center of Fairfield County
Termination of Surgical Outpatient Services in Bridgeport and Establishment of
Surgical Outpatient Services at a New Surgical Outpatient Facility in Fairfield

Dear Ms. Kycia;

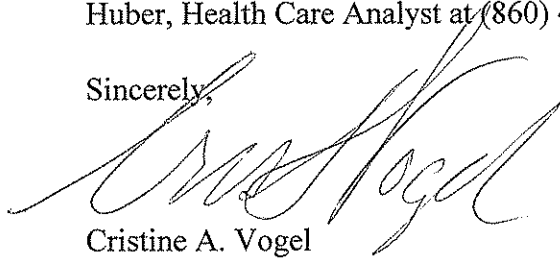
On August 6, 2009, the Office of Health Care Access ("OHCA") received your request for a Certificate of Need Determination regarding the termination of surgical outpatient services in Bridgeport and the establishment of surgical outpatient services at a new surgical outpatient facility in Fairfield at a capital expenditure of \$4,783,768. Upon review of the information contained in the request, OHCA finds the following:

1. Surgery Center of Fairfield County, LLC, d/b/a Surgery Center of Fairfield County ("Petitioner") is a for-profit, outpatient surgical facility located at 4920 Main Street in Bridgeport, Connecticut.
2. The Petitioner is proposing to relocate its outpatient surgical facility from 4920 Main Street in Bridgeport, Connecticut to 5545 Park Avenue in Fairfield, Connecticut; and to construct and equip a new outpatient surgical facility at a total capital expenditure of \$4,783,768 at the proposed Fairfield address.
3. The proposed relocation and construction project is necessary due to code compliance issues regarding the medical office building that houses the outpatient surgical facility and difficulties inherent with medical office site parking and access problems.

Based upon the above-referenced findings, OHCA has determined that Certificate of Need approval is required to proceed with the relocation of the outpatient surgical facility from 4920 Main Street in Bridgeport, Connecticut to 5545 Park Avenue in Fairfield, Connecticut since services are being terminated in Bridgeport and established in Fairfield. Although the proposal to construct and equip a new outpatient surgical facility at a capital expenditure of \$4,783,768 at the proposed Fairfield may qualify for the exemption under § 19a-639a (e) based on the non-clinical nature of the renovations, a Certificate of Need is nonetheless required for the reasons stated above. Please note that OHCA is in the process of developing regulations with respect to the relocation of health care facilities and the circumstances under which a Certificate of Need will be required for the same.

If you have any questions regarding this CON determination matter, please contact Jack A. Huber, Health Care Analyst at (860) 418-7034.

Sincerely,



Cristine A. Vogel
Commissioner

CAV:jah

Copy: Rose McLellan, License and Applications Supervisor, DPH